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SUMMARY RECORD OF THE 25th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 4 April 2000, at 10 a.m.

Chairman: Mr. SIMKHADA (Nepal)

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GE.00-12307 (E)

The meeting was called to order at 10.05 a.m.

STATEMENT BY THE MINISTER FOR FOREIGN AFFAIRS OF NEPAL

1. Mr. BASTOLA (Nepal) said that the significance of the right to development must be recognized in the course of promoting and protecting human rights. The international community should redouble its efforts to ensure that human beings had the opportunity to enjoy their rights without fear and that their fundamental freedoms were respected. The existence of extreme poverty meant that the human rights enshrined in the various relevant instruments could not be fully enjoyed in most parts of the developing world. Investment in the social sector and the development of human resources was essential to the reduction of poverty. Debt relief and generous economic assistance were also essential if the least developed countries (LDCs) were ever to enjoy all human rights. He expressed his satisfaction that poverty and the enjoyment of human rights had been chosen as the theme for the special dialogue during the current session of the Commission.

2. His Government was fully committed to the promotion and protection of human rights and the Constitution guaranteed the basic human rights and fundamental freedoms. An independent National Human Rights Commission was in the process of being established, legislative measures provided for compensation for torture victims, and steps were being taken to abolish the death penalty and eliminate inequality between men and women in matters of inheritance.

3. Trafficking in children and young women and child labour were serious problems in the region, and various measures had been adopted to deal with those issues, which were, however, exacerbated by extreme poverty and a lack of awareness. In that context, he had pleasure in informing the Commission that his Government was to host the Asia-Pacific Conference on the Use of Children as Soldiers in May 2000.

4. His Government had begun to formulate a national plan of action on human rights, and he wished to express its gratitude to the Office of the High Commissioner for Human Rights (OHCHR) for the technical cooperation and advisory services extended to Nepal in the field of capacity-building and, in particular, with regard to the administration of justice, legislative reform and human rights skill development in civil society. He hoped that the international community would continue to cooperate with the developing countries through the provision of assistance in capacity-building.

5. Democracy in Nepal had been severely challenged in recent years by a war waged by Maoist elements, and the Government had taken several initiatives to bring such elements into the political mainstream. A further impediment to the process of development and the alleviation of poverty was the burden of providing asylum for a large number of refugees. The continuing presence of those refugees had caused severe economic, social and environmental problems. He hoped that the international community would recognize the severity of the problems and help to find a lasting solution.

6. Respect for human rights was a vital component in the development of society at large. He was confident that the Commission's deliberations would have a meaningful impact on future

courses of action designed to ensure the dignity and rights of people everywhere. Nepal was grateful to the international community for its support and cooperation which would, he hoped, increase in the future.

STATEMENT BY A MEMBER OF THE NATIONAL SECURITY COUNCIL OF PAKISTAN

7. Ms. INAYATULLAH (Pakistan) said that she was proud to represent a Government that sought to realize the right of the people of Pakistan to peace, clean and efficient governance, economic growth and employment and dignity as human beings within a democratic dispensation.

8. On 12 October 1999, the people of Pakistan had rejected a sham democracy. There had been barely a voice in defence of the dictatorial rulers; indeed, there was cumulative resentment at the systematic undermining of all the institutions of democracy. The economy had collapsed and corruption had been rampant. The last straw had been the attempt to create disaffection within the Army. An illegal order to dismiss the Army Chief had been compounded by a criminal attempt to prevent the aircraft he was in from landing in Pakistan, thus putting at risk the lives of 200 passengers.

9. The replacement of the previous Government had been greeted with relief and support by the people of Pakistan. While the Constitution was held in abeyance and the legislature suspended, fundamental rights had not been suspended. The judiciary, the Office of the President and Executive Government were, under the Provisional Constitution Order, functioning within the prescribed framework of the Constitution.

10. The Chief Executive's vision for Pakistan was to foster democratic involvement at the grass-roots level. Extensive preparatory work, including the preparation of electoral rolls, delimitation of constituencies and issuance of identity cards was in hand and, as promised, local government elections would be held from December 2000, in accordance with the timetable that had been announced. The Chief Executive wished to ensure law and order; to revive the economy through a package containing a poverty-reduction strategy and focusing on human indicators and social renewal; and to be transparent in the country's dealings with the multilateral financial institutions. He also aimed at ensuring good governance, especially speedy and accessible justice; decentralization to the district level; accountability to the people; and the mainstreaming of women and minorities.

11. The Government was committed to human rights: the principles of the Charter of the United Nations and the Universal Declaration of Human Rights mirrored the values of a just Islamic society. Decisions and actions had therefore been taken in a number of areas. In the first place, 2000 had been declared the Year of Human Rights and Human Dignity. A mass awareness and education campaign would be launched shortly. Information regarding the various human rights instruments ratified by Pakistan would be translated into local languages and widely disseminated. Secondly, at least two civil awards would be given each year in the field of human rights, especially for the promotion of communal and sectarian harmony. Thirdly, bar fetters, a relic of the colonial past, had been banned. Fourthly, in order to prevent

abuse of the blasphemy laws, any suit would be registered only after a preliminary investigation by the Deputy Commissioner. Fifthly, reforms of the police and prison systems had been initiated. Sixthly, a campaign had been launched to recover all illegal weapons.

12. Other measures adopted had been the establishment of the Commission on the Status of Women, which would be supported by judicial ombudsmen at the provincial level; the promulgation of the Juvenile Justice Ordinance (pending under the previous Government), whereby a child offender was defined as being under 18 years of age, and severe punishments could not be imposed upon him or her; the directive reaffirming that "honour killing" was murder and that the law-enforcement agencies had to apprehend any offender accused of such a killing; amendments to the 1951 Citizenship Act giving women of Pakistani descent the same rights as men to nationality for their children; moves to end the exploitation of children in all its forms, through the formulation of a national policy and plan of action for the progressive elimination of child labour; and moves to eradicate any vestiges of bonded labour by a strict application of the law, coupled with a protection and rehabilitation programme.

13. The Government was also examining the possibility of ratifying the International Covenant on Economic, Social and Cultural Rights and the International Labour Organization (ILO) Worst Forms of Child Labour Convention, 1999, if possible before the end of 2000. Moreover, an independent National Human Rights Institution was being set up and a national convention on human rights and human dignity was shortly to be held.

14. Her Government took the view that peace and progress would elude the region so long as Kashmir continued to arouse tensions and threaten another - possibly devastating - war between India and Pakistan. A just and peaceful solution to the 53-year-old dispute was imperative. There had been little violence in Kashmir until Indian forces had fired on a peaceful demonstration in Srinagar in January 1989. Ten years later, the death toll was 70,000. The violence must end. If the Indian Army stopped its killing and human rights violations, Pakistan could use its good offices to persuade the freedom fighters to reduce tension on the basis of reciprocity.

15. Pakistan and India had agreed at Simla to respect the Line of Control without prejudice to the recognized position of either side. After that agreement, however, India had occupied three areas: Siachen, Qamar and Turbat La. Moreover, whereas the United Nations Military Observer Group in India and Pakistan (UNMOGIP) was deployed on the Pakistan side of the line, India did not allow such deployment on its side. UNMOGIP had reported 3,388 ceasefire violations by India over the period 1996-1999. Her Government had consistently suggested strengthening UNMOGIP and having it stationed on both sides of the Line.

16. Her Government had repeatedly called for the revival of talks on Kashmir and other outstanding issues. It had also called for friendly mediation, but India had rejected the idea and had also rejected the Chief Executive's formal offer of dialogue at any time, without any preconditions.

17. Kashmir was a humanitarian emergency and the international community must act decisively. India should be counselled to end its violence and repression in Kashmir, to halt its aggression against Pakistan and to open a dialogue on a solution to the Jammu and Kashmir

dispute, in accordance with the wishes of the people. Peace could be achieved once India recognized that the right to self-determination could never be extinguished, either by force or by the passage of time.

STATEMENT BY THE SECRETARY-GENERAL OF THE UNITED NATIONS

18. The SECRETARY-GENERAL said that he had always considered the Commission to be among the most important organs of the United Nations, and that remained truer than ever. As he had told the Commission the previous year, the world was living in the age of human rights, where awareness of the rights of every individual had done more to bring down barriers and boundaries than any force of arms, commerce or trade. By acknowledging its common human rights, the world community acknowledged its common humanity.

19. He wished to build on the promise of the age by affirming the place of human rights in the international rule of law and underscoring how everybody - international organizations, Member States and non-governmental organizations (NGOs) - could do more and do better to bridge the gap between rights and realities. The universal demand for a world of law, of dignity and rights, of equality and non-discrimination, of peace and justice, could no longer be ignored. The question was how best to bring it about.

20. The peoples of the world who were in distress, in need, under oppression or subjected to violations of their human rights, needed genuine, effective and lasting action in defence of their rights and liberties. It was up to their Governments, the United Nations and all who cared about human dignity to answer that call without delay. The international community had the power to bring human rights one step closer to the ideal set forth by the founders of the United Nations.

21. The great human rights instruments that formed the basis of the Commission's work provided a guide for the efforts required and a standard by which the record of any and every State in meeting its commitments to its citizens and to the world could be measured. He stressed that no State, whether developed or developing, could claim that its work was done. Every State could help the common effort to implement human rights provisions more effectively and comprehensively. For that reason, he believed that each annual meeting of the Commission carried the process one step further, revealing the progress made and the work that remained to be done.

22. The international community could renew its efforts by ensuring above all that human rights were established as an essential component of the rule of law in international affairs. Once and for all, it must be made clear that the rights in question were not the rights of States or factions, but the rights of individual human beings to live in dignity and freedom.

23. There was much to build on in that pursuit. He recalled that one of the Purposes of the United Nations, accepted by every Member State under Article 1 of the Charter, was to promote and encourage "respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion". The language could hardly be clearer or more emphatic and its implications for Member States were spelt out in detail in the Universal Declaration of Human Rights and in the Conventions and Covenants to which almost all Member States had subscribed.

24. Without doubt, such undertakings imposed a heavy responsibility on every Government. But that responsibility should also be seen as a privilege. By implementing it, a Government could unleash the full potential of its people in every sphere of life, from the economic, social and cultural to the civil and political. That was the promise of human rights: to endow every man and every woman with the ability to make the most of his or her potential and create for themselves and their communities a better world.

25. International human rights law made it clear that every Government must be able to show that it had in place a system for protecting human rights. There had been progress in the work of Governments to ensure that their constitutions and laws were in conformity with those norms and that their courts applied international human rights standards. Still more could be done, however. No Government could rest, and no people should remain satisfied, until that aim was achieved.

26. The obligation of Governments was made weightier still by the fact that the defence of human rights was universal in nature. Violations of human rights were no longer considered an internal matter. International human rights law was emphatic that, when human rights were being violated, the international community had the right and the duty to respond and to come to the assistance of the victims.

27. The Commission had led the way in the historic struggle against gross violations of human rights. He called upon it to be steadfast in continuing to stand up against violations of human rights, wherever they might occur in the world. He recalled that that had been the theme of his address to the Commission in 1999. Nothing that had happened since gave him any reason to doubt the importance of pursuing such a noble cause still further.

28. Indeed, events over the past year had only confirmed his belief that there could be no turning back from the principle that human rights were sacred, regardless of frontiers. Increasingly, it was recognized that national constitutional or legal provisions could not override a State's international legal obligations, least of all in the area of human rights, where the fate of entire groups of the population might be at stake. On the contrary, by ratifying an international agreement, a State accepted the obligation to bring its national laws into line with the international standard.

29. He urged the Commission, at its current session, to give new momentum to the common struggle to place development at the service of human rights and human rights at the service of development. More than ever before, it was being recognized that one could not thrive without the other. Just as development was a human right, so human rights were at the core of meaningful development.

30. Where dissent was forbidden, where expression was curtailed, where the flow of ideas and the exchange of views were limited by force, human well-being and prosperity were threatened and conflict made more likely. The fact was that economic success and development depended in large measure on the quality of governance enjoyed by a country and its people.

31. The rule of law; transparency and accountability in the management of public affairs; respect for human rights; and the full participation of all citizens in the decisions of Government:

those were all essential conditions of the kind of growth and prosperity that made development possible. Those were the lessons of the past half-century and they imposed on all an obligation to protect each human right by protecting them all.

32. He recalled the words of the President of the General Assembly when the Covenants had been adopted in 1966. Abdul Rahman Pazhwak of Afghanistan had said on that occasion that, if the United Nations could be said to have any ideology, it must be, surpassing all others, the ideology of human rights. In that spirit he appealed once again to States that had not yet done so to ratify the two Covenants and the principal international human rights instruments, so that the universal realization of human rights could be given practical expression.

33. Universal ratification was, however, only one step on the road. The aim must be universal implementation. In other words, concrete progress in the lives of those who needed help the most - those who still suffered from the denial of their most basic rights - must be achieved. He expressed the wish that their hopes and aspirations would be an inspiration to the Commission in the work that lay ahead.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS (agenda item 10) (continued)
(E/CN.4/2000/6 and Add.1-2, 46 and Add.1, 47-49, 51, 52/Add.1 and 53; E/CN.4/2000/NGO/13, 14, 32, 34, 40, 46, 49, 61, 76, 77, 90, 93, 94, 113, 125 and 140; CHR/RES/1998/25 and 26, E/CN.4/Sub.2/1999/12; E/CN.4/1999/48 and 49; E/CN.4/Sub.2/1999/10; E/1999/55; A/54/222 and Add.1 and 316)

34. Mrs. OUHACHI-VESELY (Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights), introduced her report (E/CN.4/2000/50 and Add.1), which she said had been issued in an unedited advance version containing a very large number of typographical errors. She referred to the priority she had given to Africa and other regions like Latin America where developing countries were most likely to be the target of the illicit traffic in toxic products. She had found it useful to visit Germany and the Netherlands to learn how seriously those countries took environmental issues in general and the illicit dumping of toxic products and wastes in particular. The German procedure for repatriating wastes fraudulently exported to other countries, backed by a DM 16 million fund to which all waste management companies contributed, deserved to be adopted by other industrialized countries. Under the scheme, companies which did not break the law were reimbursed after three years. The result had been that the number of cases of illegal exports had fallen from 12 in 1996 to 2 in 1999.

35. The NGOs she had met had spoken of their concerns regarding the export of vessels for extremely dangerous recycling operations that resulted in serious threats to the lives and health of people and to the environment. Such vessels, which came from OECD countries or carried flags of convenience, were sent for demolition mainly to Asian countries.

36. Another concern of NGOs was the increasing trade in pesticides, which were used intensively and under extremely poor conditions, as well as the existence of outdated stocks in many developing countries. In spite of the adoption of the Rotterdam Convention, establishing the prior informed consent (PIC) procedure, the question of pesticides and agro-toxic products

was likely to become particularly acute. Many NGOs remained sceptical regarding measures taken by the developed countries to combat the illicit traffic in toxic products and wastes.

37. Her report also contained a reference to the fifth Conference of Parties to the Basel Convention, held in December 1999, which had adopted the Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal. A fund had been established for damage not covered by the Protocol. While the Protocol and fund were both welcome, she said that it was still important to find ways of resolving cases of illicit transfers that had taken place prior to their respective adoption and establishment.

38. She said that her report contained information regarding cases and incidents in Paraguay, Costa Rica, South Africa, Haiti, Cambodia and Panama.

39. In conclusion, she reiterated her appeals and recommendations regarding the need for technical assistance to developing countries which did not have adequate means to find out about the nature of products which entered often in sophisticated and clandestine ways.

40. Mr. ZAFERA (Madagascar) said it was unacceptable that one fifth of mankind, mostly consisting of women, lived in extreme poverty, that 150 million children under the age of five were seriously undernourished, and that 855 million adults in the world were illiterate. Urgent measures should be taken at both the national and international levels. Ensuring the enjoyment of civil, political, economic, social and cultural rights was primarily the responsibility of States, and his Government had put the struggle against poverty at the top of its list of national priorities.

41. The countries of sub-Saharan Africa found themselves at the beginning of the new millennium in a more precarious situation than in the previous century, chiefly because of the effect of indebtedness on economic and social development. The situation was made worse by the lack of private capital, the inadequacy of foreign direct investment (FDI), reduction of official development assistance (ODA), the devastating consequences of natural disasters such as the three cyclones which had struck Madagascar in the past two months, and the effects of HIV/AIDS and other epidemic or endemic diseases.

42. The elimination of extreme poverty was essential to the full enjoyment of civil, political, economic, social and cultural rights. Globalization required vigorous efforts to be made by the international community to enable the developing countries, and particularly the LDCs, to derive benefits from the multilateral trading system. The international community had not only the duty but also the ability and the means to find a just and lasting solution to the problem of external debt. Without such a solution, accompanied by adequate investment and financing programmes, it would seem illusory that the gap between the rich and poor countries would be reduced and the number of people living in extreme poverty halved by 2015. His Government subscribed to the recommendations contained in the independent expert's report (E/CN.4/2000/52), especially the establishment of a world alliance for the elimination of extreme poverty.

43. Mr. DIAZ DIAZ (Mexico) said that extreme poverty currently affected more than one fifth of the world's population and was the main obstacle to the enjoyment of all human rights.

The fight against extreme poverty should thus be a priority of the international community and one of the basic premises of national action. His Government had adopted an integrated approach to dealing with the causes of extreme poverty based upon education, health, food and the gender perspective. Some 93.3 per cent of Mexican children between the ages of 6 and 14 were in school, and 9 out of 10 of them went on to secondary school. Mexico's health services reached 94 million people and, as a result of vaccination, poliomyelitis, diphtheria and measles had been eradicated. Drinking water, sewerage and electricity were available to 89 per cent, 75 per cent and 96 per cent of the Mexican population respectively. In pursuing social development with a gender perspective, Mexico's aim was the achievement of economic growth with a human face.

44. His Government was working to guarantee women's rights as owners and users of land, receivers of credit and occupiers of adequate housing, regardless of their civil status, in the belief that the enjoyment of those rights would have a multiplier effect on their families. His delegation would be submitting a draft resolution to the Commission on women and their rights to land, property and housing.

45. Mr. GALLEGOS CHIRIBOGA (Ecuador) said that the intimate relationship between civil and political rights on the one hand and economic, social and cultural rights on the other could clearly be seen in the case of his own country whose recent economic and social crisis had been the result of internal errors, the devastation caused by the El Niño phenomenon, the worsening prices of raw materials in international markets, protectionism in the markets of the developed countries and the lack of flexibility of the Bretton Woods institutions.

46. Globalization had increased the differences between rich and poor countries, leading in some cases to devastating effects on economies. The Asian crisis had shown that the uncontrolled development of capital markets was not necessarily a recipe for economic growth, still less for development.

47. Ecuador's crisis had ended years of progress in improving its people's living standards. The reduction in economic growth had had very serious human consequences and the crisis had not been merely economic: it had to be measured in human, social and political terms as well, since it endangered the stability of society and encouraged the deterioration of democratic institutions and civil peace.

48. As had been stated in the joint report by the Special Rapporteur and the independent expert (E/CN.4/2000/51), the destructive games engaged in by the international financial institutions and creditor Governments meant that many third-world economies had experienced a dramatic decline in human development indices.

49. His delegation believed that conceptual differences should be put aside, and urged the Commission to give to economic, social and cultural rights the same attention it paid to political and civil rights. Countries must understand that violations of economic, social and cultural rights increased poverty and violence, and that, violations of economic rights were also violations of political and civil rights. It was time to abandon procedures which were merely aimed at preserving the profits of the richest countries: countries must fully respect trade liberalization and bring down the barriers to international markets.

50. The international financial system had proved to be incapable of protecting the global economy from financial crisis, and it was time to reform its structure in order to avoid any repetition of such crises. The question of foreign debt must also be addressed. His own country was highly indebted, and would therefore continue to seek a solution to that problem. It was unacceptable that 54 per cent of its budget should be devoted to debt servicing. He wished to express his appreciation for the exertions on behalf of his country of the Special Rapporteur on foreign debt. The Special Rapporteur's understanding of the complexity of the situation in Ecuador and of the serious social and political consequences of foreign debt had made possible the inter-agency mission to Ecuador, the first United Nations mission of its type.

51. In their joint report, the Special Rapporteur and the independent expert had called attention to the need to strengthen the responsiveness of OHCHR in the area of economic, social and cultural rights (economic mandates) by strengthening its internal research and analytical capacity and its technical assistance support to countries in macroeconomic policy and trade and investment-related topics that had a direct bearing on the promotion and protection of human rights. His delegation believed that the Commission had the obligation to provide OHCHR with the resources needed to carry out those economic mandates.

52. Mr. OYARCE (Chile) said that economic, social and cultural rights were essential to human development and the enjoyment of civil and political rights. The fact that all human rights were indivisible and mutually reinforcing must help to clarify the justiciability of economic, social and cultural rights. An integrated international system was necessary to promote the concept of indivisibility and universality. The international community had reached a consensus on the relationship between human rights, development, finance, the eradication of poverty and the environment which amounted to the all-embracing view of the human being and the world commonly known as globalization. That consensus was reflected in the programmes of action adopted by a series of world conferences.

53. The Commission had a responsibility to become part of that integrated system through all its mechanisms. In that connection it was important that the Commission should involve itself in the debate on development funding, which was directly linked to foreign debt, extreme poverty and structural adjustment. The special session of the General Assembly on social development would provide an opportunity for consideration of that topic and the realization of economic, social and cultural rights, five years after the Copenhagen Conference.

54. The Commission must be involved in the analysis being conducted throughout the United Nations with regard to the realization of all economic, social and cultural rights and the right to development, and more attention must be given to integrated development. His delegation welcomed the statement by the representative of the World Bank in which he had suggested that new thinking, a new approach and new solutions were needed in order to increase the contribution made by the Bank's work to countries throughout the world.

55. It was necessary for the Commission to send out a clear message with regard to the difference between a simple debate on development and the sort of analysis which focused purely on human rights. With regard to the matter of debt, for example, consideration must be given to other than purely financial matters if any real contribution was to be made to the rethinking that was already at an advanced stage in the Economic and Social Council and the

Bretton Woods institutions. The Commission must ensure that the human dimension was taken into account, and that the human rights component was placed firmly at the heart of development.

56. His delegation therefore greatly appreciated the endeavours of the special rapporteurs and independent experts on the right to development, foreign debt and the right to education, and suggested that the Commission should bring a global vision to the Council and the inter-institutional dialogue on human development. He also wished to acknowledge the valuable contribution made by NGOs. The number of them addressing the Commission reflected the importance of economic, social and cultural rights.

57. The growing number of resolutions on agenda item 10 was in sharp contrast to the need for an integrated approach. Some sort of holistic approach to matters that were clearly related must be found and a strategy developed, if the Commission was to be able to present to the international community an approach to human development that could be incorporated into an integrated dialogue. Governments faced an enormous challenge, having to carry out their national responsibilities, manage the economy, achieve development and attract international cooperation.

58. His own Government was working to bring development to all and to extend the provision of social services. Its internal preoccupations were reflected in its foreign policy, and he stressed its readiness to cooperate with those of other States in a dialogue that would give development a human face.

59. Ms. MOLLESTAD SYLOW (Norway) said that the current quest for new development strategies and approaches was largely explained by the fact that the fight against poverty had not produced the expected results. The increased attention being paid by development agencies, including the international financial institutions, to the rights-based approach was therefore most encouraging.

60. The Norwegian Development Agency (NORAD) was preparing a handbook on the human rights assessment of development projects which would be a practical manual for the identification of the relevant human rights factors in development partners' project proposals. In her delegation's view, not only did the fulfilment of human rights contribute to development and the eradication of poverty, but the full realization of all human rights was what development was essentially about.

61. One effect of the rights-based approach to development cooperation was the focus placed on the individual. She therefore wished to draw attention to the useful clarification of the nature and level of State obligations with regard to economic and social rights contained in the study prepared by the Sub-Commission's former Special Rapporteur on the right to food (E/CN.4/Sub.2/1999/12). She welcomed the work being done by the Committee on Economic, Social and Cultural Rights and the recommendations made in its general comments.

62. She also expressed her appreciation of the work of the Special Rapporteur on the right to education and her support for the emphasis which that Special Rapporteur had placed on girls' right to education. Better tools were needed to set goals and assess progress in relation to the full

implementation of economic, social and cultural rights. The work being done to elaborate indicators and benchmarks for the realization of the right to education was promising and must be pursued, with regard both to the right to education and to other economic, social and cultural rights.

63. With regard to tools for improved implementation, she noted that there was a positive attitude to the draft optional protocol to the Covenant on Economic, Social and Cultural Rights concerning an individual complaints procedure. While recognizing that such procedures strengthened the position of the individual and provided useful guidance to States with regard to the implementation of their human rights obligations, her delegation believed that further consultations and studies on the issue were necessary.

64. Regardless of their economic situation, States had a responsibility to create an environment in which individuals' capacities for meeting their own needs were increased, and to ensure enjoyment of economic, social and cultural rights. The realization of those rights required interaction between Governments and civil society. Under the provisions of the Covenant, each State must take steps, using international assistance and cooperation, gradually to achieve full realization of the rights covered by the Covenant. Her delegation therefore considered that the issues of debt, terms of trade, international cooperation and aid were relevant to the fulfilment of economic, social and cultural rights as well as civil and political rights, and that national and international solidarity were essential.

65. Mr. MULONDA (Zambia) said that large numbers of developing countries were still far from implementing the provisions of the International Covenant on Economic, Social and Cultural Rights. That was to a large extent due to the fact that the creditor nations paid lip-service to those rights while continuing to demand that the limited resources available to highly indebted nations be used to service debt rather than invested in the social sector. He therefore urged creditor nations and multilateral lending institutions to give serious consideration to the cancellation of the debts of such nations. He urged the creditor countries and institutions to study the joint report prepared by the Special Rapporteur and the independent expert on the effects of foreign debt (E/CN.4/2000/51), in order to appreciate the magnitude of the problem and review their strategies. The international community must become proactive if the poorest nations of the world were to make meaningful strides towards the realization of economic, social and cultural rights.

66. In view of his delegation's belief that education was essential for the enjoyment of human rights and fundamental freedoms, he expressed his appreciation of the work of the Special Rapporteur on the right to education and supported the call for her mandate to be extended.

67. Ms. RUSTAM (Indonesia) said that the immediate alleviation and eventual elimination of poverty must remain a high priority of the international community. It was one of her own Government's highest priorities, and significant achievements had been realized. Those achievements had, however, been jeopardized by the recent monetary and economic crises. Nevertheless, positive growth was expected and would enhance her country's capacity to improve economic, social and cultural rights, including the right to food, shelter, education and health.

68. Poverty was one of the foremost causes of human rights violations in the world. When the General Assembly had launched the First United Nations Decade for the Eradication of Poverty in 1997, it had stated that eradicating poverty was an ethical, social, political and economic imperative of humankind. It was anticipated that the development agencies of the United Nations would play a key role in translating those normative decisions into practical programmes in support of national poverty eradication programmes. While OECD had set a global target of halving the number of people living in poverty by 2,015, it was estimated that the number of such people would have reached nearly 2 billion by the target date unless concerted efforts to reduce poverty were made, immediately and in the future, at the national and international levels. Renewed attention therefore needed to be paid to the role played in poverty eradication by the United Nations system's operational activities for development. Developed countries must also redouble efforts to meet their commitment to achieving the target.

69. While her delegation was looking forward to the forthcoming special session of the General Assembly on social development, it had learnt with concern that the report of the Commission on Social Development on the review and assessment of the Copenhagen Declaration had concluded that little or no progress had been made in the achievement of the goals set out five years previously. She hoped that the international community would renew its commitment and develop practical approaches to achieve the goals of that Declaration.

70. She wished to commend the High Commissioner for Human Rights on her public advocacy of the realization of economic, social and cultural rights, and hoped that OHCHR would, in the years to come, devote greater efforts to the translation of those rights into action. Her delegation welcomed the efforts represented by the Asian regional workshops on the rights to development and on economic, social and cultural rights which had been held in 1999 and 2000.

71. Strengthened international cooperation based on mutual interests was essential to support the efforts of developing countries to solve their social and economic problems and fulfil their obligations to promote and protect human rights. Such efforts would ensure a fairer share of the gains of globalization and liberalization and lead to greater prosperity.

72. Mr. ISSA HASSAN (Sudan) said that the Sudan was a party to the International Covenant on Economic, Social and Cultural Rights. The 1998 Constitution provided that the State would furnish appropriate conditions for the development of financial and human resources, and also safeguard earnings and property.

73. Despite the difficulties it faced from both natural disasters and civil armed conflict, the Sudan had been able to restructure its economy to meet the requirements of the free market. Thanks to the reforms, gross domestic product (GDP) had grown by more than 6.5 per cent and inflation had fallen from over 60 per cent to around 11 per cent. The International Monetary Fund (IMF) had lifted its declaration of non-cooperation because of the Sudan's success in reducing its massive arrears to the Fund.

74. The export of Sudanese oil had started in August 1999. A significant amount of the revenues would be allocated to the rehabilitation of the areas devastated by the armed conflict in the southern region and elsewhere. Hospitals, schools, roads, water networks and other welfare projects were being built in oil-exploration areas.

75. The Constitution provided for free association and equal opportunity for all. The Government had established a permanent Commission on Salaries and Wages of Employees and Workers, relating to both the public and the private sectors. That Commission carried out a systematic assessment of basic wages every six months, taking into account inflation rates and living standards. Social insurance had become mandatory for all employees.

76. The past decade had seen the establishment of various social welfare organizations and there had been a number of projects aimed at alleviating poverty. In that connection, he expressed his delegation's concern that some major Powers were prepared to resort to destructive measures which ran counter to the laws of other countries. The ruins of the pharmaceutical Shifa Plant in Khartoum, which had been bombed in 1998, testified to the way in which an LDC was denied the right to development.

77. Mr. HEMAYETUDDIN (Bangladesh) said that, at the World Conference on Human Rights, a new vision for global action on the enjoyment of all human rights had been forged. Democracy had become the catchword of national and global politics. The next step was for the international community to implement the two broad categories of rights without discrimination. Attention should be first paid to those that had been neglected. The Universal Declaration of Human Rights had not drawn up priorities, but attention had mostly been focused on civil and political liberties. Yet the equally fundamental economic and social rights continued to be denied to much of the world's population. That situation would persist if poverty was not eradicated. The process must begin with investment in human resources and the empowerment of women and children by giving them access to their basic rights of education, nutrition, employment and equal opportunities.

78. Creating such conditions remained a formidable challenge for the developing countries, especially the 48 LDCs. The onus rested primarily on individual Governments, but the support of the international community was also needed. The developed countries must fulfil their commitment to the agreed target of 0.7 per cent of GNP for ODA. Most industrialized countries were still far from meeting that target. The developing countries, meanwhile, must allocate 20 per cent of their national budgets to basic social and development programmes, respectively. Resources should be generated through reduced defence spending. Equitable access to market technology and investment opportunities for developing countries was also required. Globalization had made development issues essential to the very survival of the poorer nations.

79. His country's experience showed that traditional aid programmes failed to reach the very poor. Increased access to micro-credit, however, and related financial services for self-employment and income-generating activities for the poor, particularly women, could bring about improvement. His Government was pursuing poverty alleviation through higher growth, higher investment in social sectors, targeted programmes of income generation and employment creation and the introduction of social safety nets for vulnerable social groups. Investment in the social sectors had risen to 40 per cent.

80. The international community should address the issue of human rights in their totality without politicization. There should be a meaningful, non-confrontational partnership between North and South. The High Commissioner for Human Rights was an effective advocate of economic rights, but further steps should be taken to make OHCHR more proactive in the area of economic, social and cultural rights.

81. Mr. NIKIFOROV (Russian Federation) said that genuine socio-economic development depended on the protection of all human rights and fundamental freedoms. Moreover, the rule of law at the national level was crucial to the realization of economic, social and cultural rights, the primary responsibility for the latter resting with Governments. International assistance was also essential, however, including through the Bretton Woods institutions. The focus should be on specific groups of countries, including those with economies in transition. The United Nations should prioritize economic, social and cultural rights, especially in view of the impact on all aspects of people's lives of global problems such as international terrorism and organized crime, ethnic conflict, illegal trade in arms and narcotic drugs, and the spread of HIV/AIDS and other communicable diseases.

82. His Government held true to the principle that States should not apply coercive measures to other States or undermine their sovereign rights. The civil population was the first to suffer from sanctions and other unilateral coercive measures, which violated human rights and exacerbated humanitarian problems, provoking economic decline, unemployment, inflation, poverty and hunger. His own Government sought to abide fully by the purposes and principles of the Charter of the United Nations and other instruments of international law. At the national level, concerted efforts were under way to reverse the decline in the standard of living, to reduce social disparities and to provide compensation to the most vulnerable population groups in the form of social security. His Government was prepared to cooperate with international efforts to promote economic, social and cultural rights.

83. Mr. SHIN Gil-sou (Republic of Korea) said that his delegation agreed with the High Commissioner's suggestion that the Commission should develop a framework for poverty eradication. Although the dawn of the new millennium had found more of the world's population living in good health and prosperity than ever before, it had merely represented for some yet another grim moment in their struggle for survival. His delegation thus welcomed the growing international recognition that extreme poverty was one of the most persistent obstacles to the enjoyment of social, economic and cultural rights. The importance of balanced progress among human rights had not, however, diminished. The primary responsibility for an enabling environment for the enjoyment of all human rights lay with Governments. Good governance was needed to promote sustainable growth and to enable all people to benefit from development.

84. His delegation attached great importance to the right to education, since lack of access to education was a root cause of poverty. Indeed, the link between education and employment should constitute the pillar of national policies, with a clear commitment to enabling people to become economically self-sufficient. The protection and realization of the right to education would lead to both economic growth and better governance.

85. The impact of the international economic system on human rights deserved further attention. Increased economic interdependence could prove a powerful tool for increasing

economic growth and improving living standards. It could also, however, threaten the economic and social stability of certain countries. His delegation supported efforts to explore the impact of globalization on human rights, with a view to sharing country experience in harnessing the benefits of globalization and in minimizing its negative consequences.

86. Mr. PARAN (Observer for Israel) said that his Government sought to realize the right of every person, rich or poor, to the highest attainable standard of health care. To that end, a national health insurance law had been enacted in 1995. That law established health care as a right, stipulated legal entitlement to a defined range of guaranteed health services, instituted a capitation formula to ensure adequate funds to cover the needs of the poor and the elderly, and introduced a payroll tax for collecting premiums. It also required that health funds accept all applicants, and committed the Government to funding health services at a specific level. Several major goals had been achieved to date: all residents of Israel currently possessed health insurance, service levels had been enhanced, and health-system equity had been improved, with a reduction, inter alia, of health-care delivery gaps between Arabs and Jews. The Government had also introduced an innovatory system for priority-setting in the health system which incorporated both professional and lay input.

87. Mr. MIKHNEVICH (Observer for Belarus) said that globalization had impacted on many aspects of social, economic and cultural life. The world had become increasingly interdependent, even unified to some degree, however disparities between rich and poor countries had actually widened. The survival, not just the progress, of mankind depended on "civilized" models of development which would renew, rather than deplete, the world's natural resources and eliminate disparities.

88. Events in recent decades had testified to the importance of guaranteeing economic, social and cultural rights as well as civil and political rights. Thus far, the international community had failed to respond adequately to the broad violation of economic, social and cultural rights. Experience in protecting civil and political rights should be transposed to that other set of rights.

89. Belarus had accumulated experience in countering such phenomena as unemployment and poverty, and its social policy was geared towards improving living and working conditions and ensuring social stability and harmony. Indeed, the success of the transition process would be judged by the extent to which individuals' lives were improved. The country's future depended on the mental and physical health of its children and young people, hence the priority attached to providing a legal basis for realizing policies on youth.

90. Despite the complexities of the transition period in Belarus, the cultural potential of the country had been relatively unscathed. The Government's strategy for realizing cultural rights involved the establishment of long-term priorities and goals. Efforts were being made to preserve the cultural autonomy and heritage of the people of Belarus, inter alia by reviving national traditions.

91. Mr. PAPPA (Observer for Switzerland) said that the promotion and protection of one category of rights in no way exempted States from their responsibility with regard to other rights. External factors - such as structural adjustment programmes and foreign debt - did affect the manoeuvrability of Governments, but they nevertheless remained primarily responsible for

creating a national and international environment favourable to human rights. National budgetary and other policies, as well as good governance, could contribute significantly to that end.

92. Non-State actors - such as transnational corporations, international organizations and NGOs - also impacted on the realization of economic, social and cultural rights, hence the crucial importance of dialogue between all the parties. To that end, his delegation applauded the "global compact" initiative of shared values and principles launched by the Secretary-General

93. In the context of international law, further conceptual work must be carried out in respect of the significance of economic, social and cultural rights, including the establishment of appropriate indicators for identifying violations of those rights. In that connection, a Swiss expert on international law had been entrusted with the task of studying the right to adequate food.

94. Mr. LAMB (International Federation of Red Cross and Red Crescent Societies) said that his organization was known primarily for taking action; it was through its activities that it manifested its support for human rights. Economic, social and cultural rights featured prominently in the Federation's Plan of Action for 2000-2003. People everywhere wanted the best for their children and families; they wanted to live in peace and harmony, with economic and physical security, personal dignity and a supportive community. At the turn of the millennium, all too many were at risk from situations that threatened their capacity to live with a minimum of socio-economic security and human dignity.

95. The Federation focused on improving the lives of vulnerable people, many of whom were also victims of poverty and most of whom were invisible. As revealed in its World Disaster Report, disasters disproportionately affected the poor. Fragile and deteriorating public health systems underpinned many such disasters. "Vulnerability" was related to poverty, but it was also about people being isolated, insecure and defenceless in the face of risk, shock and stress. It was high time the international community developed creative institutional alliances to contribute substantively to the realization of economic, social and cultural rights for all.

The meeting rose at 1.00 p.m.